

INTERSTATE COMMERCE COMMISSION
WASHINGTON

REPORT OF THE DIRECTOR

BUREAU OF SAFETY

ACCIDENT ON THE
PENNSYLVANIA RAILROAD

VAN WERT, OHIO

MAY 26, 1938.

INVESTIGATION NO. 2272

SUMMARY

Inv-2272

Railroad: Pennsylvania
Date: May 26, 1938.
Location: Van Wert, Ohio
Kind of accident: Collision
Equipment involved: Passenger train : motor truck
Train number: 58
Engine number: 5493
Consist: 9 cars : tractor and trailer
Speed: 65-85 m.p.h. : 4 m.p.h.
Operation: Timetable, train orders and automatic block-signal system.
Track: Double; tangent; 0.04 percent descending grade for east-bound trains.
Highway: Tangent; crosses the tracks at practically right angles.
Weather: Clear and daylight
Time: 7:13 p.m.
Casualties: 2 killed
Cause: Truck being driven upon railroad crossing in front of approaching east-bound train.

June 24, 1938.

To the Commission:

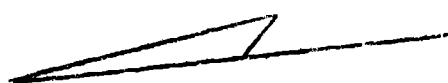
On May 26, 1938, there was a collision between a passenger train and a motor truck at a highway grade crossing on the Pennsylvania Railroad near Van Wert, Ohio, which resulted in the death of two railroad employees.

Location and method of operation

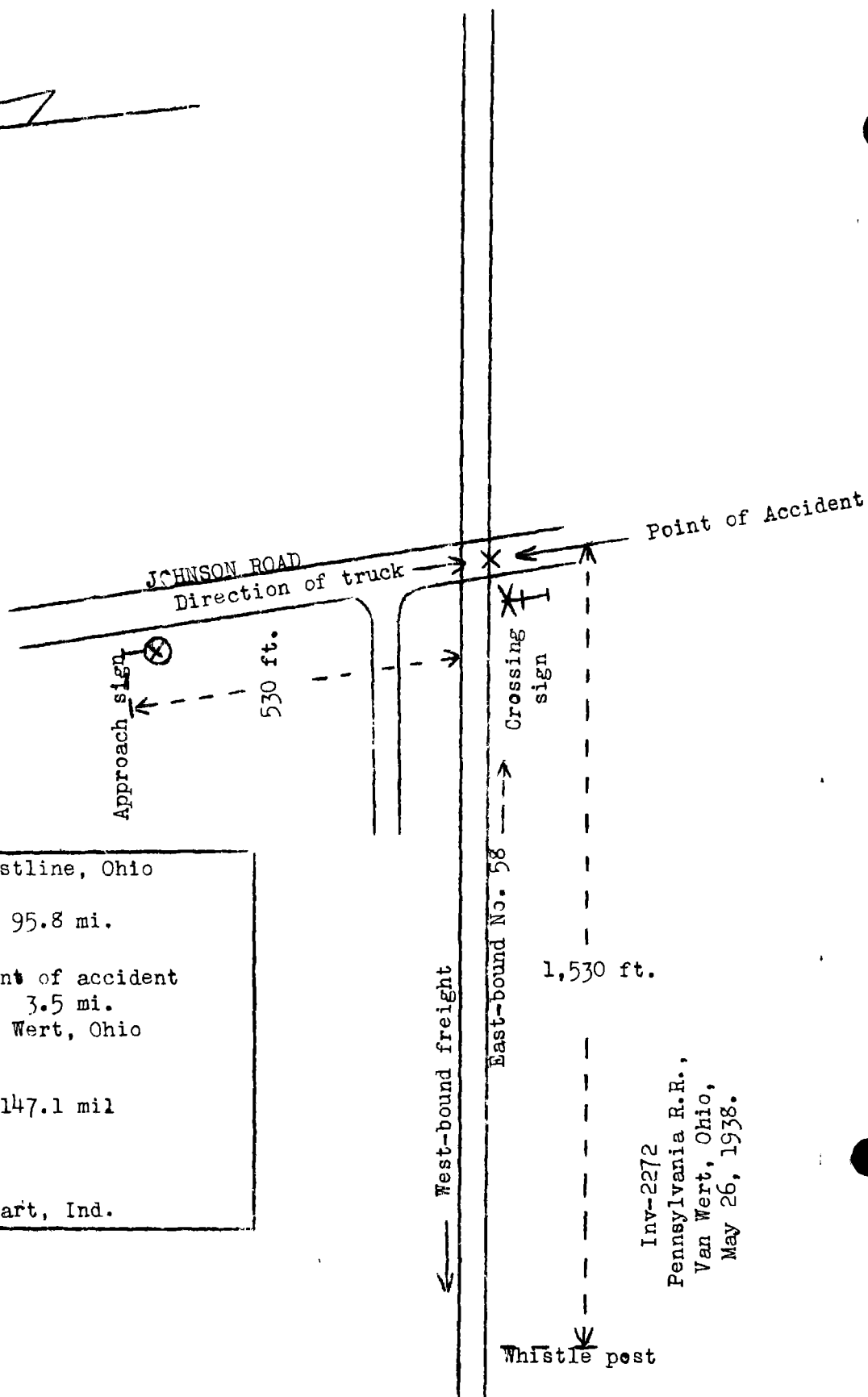
This accident occurred on that part of the Fort Wayne Division which extends between Crestline, Ohio, and Hobart, Ind., a distance of 246.4 miles, and is a double-track line over which trains are operated by timetable, train orders and an automatic block-signal system. The accident occurred at a point $3\frac{1}{2}$ miles east of Van Wert where Johnson Road crosses the tracks practically at right angles. Approaching from the west the track is tangent for a distance of 3 miles, and this tangent extends for more than 8 miles beyond. The grade for east-bound trains is 0.04 percent descending at the point of accident. The maximum speed limit for passenger trains is 80 miles per hour.

Johnson Road extends north and south and varies in width from $15\frac{1}{2}$ feet at the crossing to 22 feet at a point 530 feet north thereof. It is macadam surfaced; at the crossing, however, it is constructed of tarvia and is in fair condition. Approaching from the north the highway is tangent, and it is approximately level to a point 100 feet north of the north rail of the westward track, from which point it ascends to the level of the tracks, the total rise being 4 feet. This crossing is protected by an approach sign located 13 feet west of the center line of the highway and 530 feet north of the north rail of the westward track. It is a yellow disc, 28 inches in diameter, 5 feet above the level of the highway, with a cross-bar and the letters "R R" in reflector buttons. A standard cross-buck sign, bearing the words "RAILROAD CROSSING", with a horizontal bar below bearing the word "DANGER", is located at the southwest corner of the crossing, the top of the post being 9 feet 6 inches above the top of the rail.

The crossing involved is situated in open country, and there is nothing to obstruct the view of the track to be had by drivers of motor vehicles approaching the railroad. From a point 815 feet north of the crossing there is unobstructed view to the west for a distance of approximately $\frac{3}{4}$ mile; this view increases to 1 mile at a point 60 feet from the crossing, and to 3 miles at a point 25 feet from the crossing. At the time of the accident, however, the view of the eastward track available to the driver of a south-bound truck was restricted by a passing west-bound freight train.



• Crestline, Ohio
95.8 mi.
* Point of accident
3.5 mi.
• Van Wert, Ohio
147.1 mil
• Hobart, Ind.



Inv-2272
Pennsylvania R.R.,
Van Wert, Ohio,
May 26, 1938.

Under section 3 of the Motor Vehicle laws of the State of Ohio, effective January 1, 1934, Rule 12, governing the transportation of property by motor transportation companies, provides as follows:

"Drivers shall make a complete stop, open the door, in order that they may plainly hear, then look and listen before crossing the tracks of any steam or electric inter-urban railway, such stop to be made at a point where the clearest view is obtainable. If the view of the track is in any way obstructed they must leave the truck to make sure that the crossing is safe. While crossing the track the vehicle shall be driven in low or second gear and no shift shall be made within twenty-five feet of or upon the crossing. This rule does not apply when crossing the tracks of municipal street railways within municipalities. In special cases motor transportation companies may upon written application obtain authority to make exceptions."

Rule 14 (L), amplified, as contained in the current timetable of the railway company, specifies, in part, that the engineer shall sound two long and two short blasts of the engine whistle approaching public crossings at grade, to be prolonged or repeated until the crossing is reached.

A whistle post is located 1,530 feet west of the center line of the crossing.

The weather was clear at the time of the accident, which occurred about 7:13 p.m.

Description

No. 58, an east-bound passenger train, consisted of one combination baggage-passenger car, one coach, four Pullman sleeping cars, one dining car, one lounge car, and one Pullman sleeping car, in the order named, of all-steel construction, hauled by engine 5493, and was in charge of Conductor Tyler and Engineman Young. This train departed from Fort Wayne, Ind., 32.4 miles from Van Wert, at 6:37 p.m., according to the train sheet, on time, passed Estry, 0.4 mile from Van Wert, at 7:08 p.m., 3 minutes ahead of its scheduled time, and after passing Van Wert struck the rear end of the trailer of a motor truck at Johnson Road crossing while traveling at a speed estimated to have been between 65 and 85 miles per hour.

The truck involved was a 1936 model, C-40 type, International tractor, equipped with an enclosed cab, hauling an A. & J. trailer loaded with 10 tons of starch in paper bags. It was owned by George B. Ault of Elkhart, Ind., and was leased by the

Ready Truck Lines of Chicago, Ill. The overall length of the tractor and trailer was 37 feet; the light weight of the tractor was 6,300 pounds, and of the trailer about 6,700 pounds, with an allowed capacity of 6,000 pounds. At the time of the accident the total weight of the truck and load was approximately 33,650 pounds. The rear axle of the tractor and the axle of the trailer were equipped with dual wheels, and the outfit was equipped with vacuum brakes. This truck was driven by the owner, who was accompanied by Truck Helper Berkey; it was en route from Chicago, Ill., to Baltimore, Ohio, and passed through Van Wert between 6:30 and 7 p.m. A short time later, while moving over the Johnson Road crossing of the P.R.R. at a speed of about 4 miles per hour the trailer was struck by No. 58.

The tractor was only slightly damaged but the trailer was torn from the tractor and carried eastward 130 feet where it stopped on the south side of, and fouling, the eastward track, completely destroyed. Immediately following the crash an explosion occurred which enveloped the engine and cars in flames. No part of the train was derailed, and it stopped with its rear end 947 feet beyond the center line of the crossing. The engine was considerably damaged, but the damage to the cars was slight, being caused by the tractor body fouling the track and raking the side of the train. The railroad employees killed were the engineman and the fireman; they died as a result of burns.

Summary of evidence

Conductor Tyler stated that the air brakes were tested before leaving Fort Wayne, and were reported as functioning properly; a running test was also made leaving that point. Approaching the crossing involved, the crossing whistle signal was sounded and was prolonged until the crossing was reached. He was in the first car when he felt the air brakes become applied in emergency, and for a distance of about 500 feet the train was enveloped in flames. He estimated the speed to have been 65 or 70 miles per hour at the time of the accident. He did not know whether the engine bell was ringing. The accident occurred at 7:13 p.m. but it was daylight, the weather was clear and visibility good.

Conductor Bennett, of PF-1-7, a west-bound freight consisting of 118 cars, stated that as his train cleared the Johnson Road crossing he saw a truck which had been standing about 40 feet north of the crossing start toward the crossing. He was on the rear platform of the caboose, and as he knew No. 58 was approaching he motioned to warn the driver of the truck, but the driver did not pay any attention to him. Conductor Bennett estimated that No. 58 was about 60 car lengths from the crossing when the truck started to move; the truck proceeded at a very low rate of speed and had reached the westward track when his train was about 10 car lengths beyond the crossing. From his observation he did

not know of any reason why the truck driver could not have seen No. 58 before proceeding upon the eastward track. A crossing whistle signal was sounded by No. 58, the last blast being given after the engine had passed him. His train was traveling at a speed of between 30 and 35 miles per hour, and he thought the rear ends of the two trains passed about 30 car lengths west of the crossing; at that time he motioned to the flagman of No. 58 in an attempt to warn him that there was something wrong ahead. He estimated the speed of No. 58 at between 80 and 85 miles per hour. When the train struck the trailer a cloud of dust arose and an explosion followed.

Flagman McPherson, of PF-1-7, stated that the truck was standing about 50 feet north of the track when his train passed, and he thought his train was about 15 car lengths west of the crossing when the truck had reached the westward track.

Truck Driver Ault stated that after he had followed Route 30 eastward from Van Wert for about 4 miles he was forced to move southward over a detour. After proceeding about 1 mile along this detour he approached the tracks and found a west-bound freight moving over the crossing. He stopped the truck about 60 feet from the tracks and waited about 5 minutes before the train cleared the crossing; while waiting he and his helper got out of the cab to stretch. When the rear end of the train approached they got back into the cab, the helper getting in the bunk. Driver Ault looked in both directions, placed the gears in creeper position and started up the incline to the tracks. At this time the caboose of the freight train was approximately three telegraph poles west of the crossing. He had never been over this crossing before but as he drove up the incline he could see that there were two tracks. The fact that the crossing was a little rough did not interfere with the operation of the truck and he continued moving at a speed of about 4 miles per hour. The weather was clear, and, except for the passing freight train, there was nothing to prevent him from seeing the passenger train. When he was about 5 or 10 feet north of the tracks he looked to the west for the last time but did not see the approaching train until he was almost across the tracks when he heard a whistle and a crash at the same time. This whistle signal was the only one he heard although others might have been sounded and he failed to hear them. There was nothing to prevent him hearing the whistle; the truck is not equipped with a radio. At the time of the crash the trailer was torn loose from the tractor and he stopped immediately. He held an Indiana State license which permitted him to operate a truck in interstate traffic in other states. He had a copy of the truck driver's book of rules effective February 1, 1935, but he did not have any knowledge of the Ohio State law which requires the driver of any truck to leave the truck in order to make sure that any railroad crossing is clear provided it can not be done when inside of the cab of the

truck. He was not aware that the load of starch was a combustible, inflammable or explosive commodity. The tractor was in good mechanical condition, the motor did not falter, and he could have stopped instantly, especially on the grade up to the tracks.

The statement of Truck Helper Berkey corroborated that of the truck driver concerning the operation of the truck over the crossing where the accident occurred. He also stated that he was in the sleeping compartment of the truck at the time of the accident. He was depending on the truck driver and did not look for trains at any time. The windows of the cab as well as the windows in the sleeping compartment were down but he did not hear any whistle signals until the time of the crash. He did not understand that it was required by law to leave the truck to see that the way was clear at railroad crossings if the view was not clear from the truck cab.

S. J. Williams, President of the Ready Truck Lines, stated that he considered Truck Driver Ault a competent and safe driver, having received a report from his foreman to that effect, and he, himself, had followed Driver Ault on many occasions and had never found reason to caution or correct him at any time. Mr. Williams also stated that he did not know that starch was an explosive commodity.

P. E. Dempsey, an eyewitness to the occurrence of the accident, stated that he was driving southward on Johnson Road and stopped his automobile behind the truck and trailer, which, he judged, had stopped about 25 feet from the track, or about at the foot of the incline to the tracks. When the freight train had cleared the crossing and was about a city block, or between 500 and 600 feet beyond, the driver of the truck started to move in low gear. As the crossing is rather narrow Mr. Dempsey intended to wait until the crossing was clear before starting. He heard a locomotive whistle and on looking westward he saw the engine of an east-bound passenger train come into view from behind the freight train; the whistle was being sounded in one long continuous blast, and the train was traveling at a very high rate of speed. He had not heard any whistle signal of any kind prior to this long blast, and was of the opinion that the passenger train did not sound a whistle signal until the engine was past the rear end of the freight train. The passenger train was not throwing out any smoke and there was nothing to attract attention to it until the whistle was sounded. The sun was very low in the sky and a person looking westward from the crossing would have difficulty in seeing any distance because of the fact that he would be looking directly at the setting sun. Mr. Dempsey also stated that he did not notice whether or not any trainman was on the rear end of the caboose as the freight train passed.

Elsie J. Fox, 13 years of age, whose home is located south of the railroad tracks and about 500 feet west of Johnson Road, stated that she was walking northward on Johnson Road when she saw the truck stop at the crossing and wait for the freight train to pass. She turned westward on a lane leading to her home and saw the passenger train approaching and also heard the whistle signal sounded - two long blasts and then two short blasts, the last blast continued up to the time the train reached the crossing. When she had reached a point about 300 feet west of the crossing she turned around and looked towards the crossing and as she did so she saw the crash and heard a loud explosion. It was her opinion that the rear end of the freight train was just about even with her home when the accident occurred. She further stated that as the train was coming to a stop she heard the engine bell ringing.

Walter D. Fox, father of Elsie Fox, stated that just prior to the accident he was in one of his farm buildings operating the cream separator. In spite of the whining noise made by the separator he heard the regular crossing whistle signal sounded and knew by the sound that it was a passenger train. He looked out of one of the windows and saw the passenger train pass, and he noticed sparks flying from the last car of the train.

District Claim Agent Teeple stated that he talked with Fireman Ferguson of No. 58 just before he died and the fireman told him that as his train approached the crossing he was working with some slide, and that the first knowledge he had of anything unusual was when the engineman applied the air brakes in emergency just before the collision.

Engineman Berlin, of No. 48, which train pulled No. 58 back to Estry after the accident, stated that on his arrival at the scene he inspected the cab of engine 5493 and found the automatic brake valve in emergency position and the throttle closed.

Observations of Commission's Inspectors

Johnson Road is being used temporarily as a detour for east-bound traffic from U.S. highway No. 30, but is also used in both directions by local residents in the vicinity. West-bound through traffic from Route 30 is routed over another highway 1 mile east of Johnson Road. A traffic check at the Johnson Road crossing for a 24-hour period disclosed that 775 vehicles and 31 trains passed over it. The maximum hourly traffic was 86 vehicles between 3 and 4 p.m., and the heaviest train movement was between 7 and 8 p.m. when 4 trains passed. During this check it was observed that a large percentage of the trucks using this crossing failed to come to a stop as required by the Ohio State Law. All trains, with one exception, sounded the whistle signal clearly and distinctly approaching and up to the crossing.

Discussion

Johnson Road was being used as a detour from U.S. highway No. 30, and Driver Ault had never been over this crossing before. He stopped at the railroad crossing to await the passage of a west-bound freight train, and when the rear end of that train had moved about 500 feet past the highway he started ahead. As he moved up the incline toward the track he noticed that there were two tracks and he again looked westward when between 5 and 10 feet north of the westward track but did not see or hear No. 58 until the time of the crash. The conductor and flagman of the freight train stated that their train was from 10 to 15 car lengths from the crossing when the truck reached the westward track. While there can be no doubt that the freight train restricted the westward range of vision of the truck driver as he approached the crossing, it should have been possible for him to see the passenger train in time to have kept clear of the eastward track. The evidence indicates that the proper whistle signal was sounded by No. 58. It was clearly heard by various witnesses in the vicinity but not by the occupants of the truck, and the driver of an automobile which stopped behind the truck at the crossing stated that the whistle was not sounded until the passenger train cleared from behind the freight train. The driver should have been absolutely sure that both tracks were clear before proceeding upon the crossing, and if not able to make sure from his position in the truck cab, he should have left the truck as required by the Ohio State motor vehicle laws. Although he had in his possession a copy of the laws of the State of Ohio governing motor trucks, he had no knowledge of the above mentioned requirement. In view of the heavy traffic moving over this crossing due to the detouring of Route 30, better warning provisions should be installed.

Conclusion

This accident was caused by a motor truck being driven upon a railroad crossing at grade directly in front of an approaching passenger train.

Respectfully submitted,

W. J. PATTERSON,

Director.